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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPNAY PETITION NO.202 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr. C.M.Jha for the petitioners.

No appearance for the respondents.

CORAM : ANOOP V. MOHTA,J.

DATED : 12th July, 2007

P.C.

1. The petitioner had supplied the goods to the company under various voices and the bills of the same remained un-paid, therefore, a statutory notice as contemplated under Section 433 and 434 of Company Act-1956 sent and duly served upon the registered office of the company.

2. There was no reply to the said demand. The petitioner,

therefore, has filed this petition on 29/08/2003. The affidavit of service dated 02/03/2005 is also part of the record.

3. By order dated 03/03/2005, the petition has been admitted and made returnable. All the formalities of the advertisement have been complied with. There is affidavit of service dated 14th February, 2006 to that effect.

4. There is no appearance and or resistance and or any objection to the averments raised and made by the petitioners. Therefore, the case as put up by the Petitioners remained undefended.

5. Taking into account including the averments made and undisputed position on record, the petition

is allowed in terms of prayer clause (a) and (b).

6. Parties to comply with necessary formalities.

(ANOOP V. MOHTA,J.)